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(Original Signature of Member)

108TH CONGRESS
2D SESSION

H. R. _____

To amend the Public Health Service Act to provide for human embryonic
stem cell research.

IN THE HOUSE OF REPRESENTATIVES

Mr. CASTLE (for himself and Ms. DEGETTE) introduced the following bill;
which was referred to the Committee on _____

A BILL

To amend the Public Health Service Act to provide for
human embryonic stem cell research.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stem Cell Research
5 Enhancement Act of 2004”.



1 **SEC. 2. HUMAN EMBRYONIC STEM CELL RESEARCH.**

2 Part H of title IV of the Public Health Service Act
3 (42 U.S.C. 289 et seq.) is amended by inserting after sec-
4 tion 498C the following:

5 **“SEC. 498D. HUMAN EMBRYONIC STEM CELL RESEARCH.**

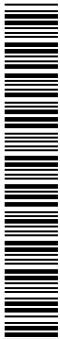
6 “(a) IN GENERAL.—Notwithstanding any other pro-
7 vision of law, the Secretary shall conduct and support re-
8 search that utilizes human embryonic stem cells in accord-
9 ance with this section.

10 “(b) REQUIREMENTS.—The Secretary shall conduct
11 or support research that utilizes human embryonic stem
12 cells if the following requirements are met:

13 “(1) The stem cells were derived from human
14 embryos that have been donated from in vitro fer-
15 tilization clinics, were created for the purposes of
16 fertility treatment, and were in excess of the clinical
17 need of the individuals seeking such treatment.

18 “(2) Prior to the consideration of embryo dona-
19 tion and through consultation with the individuals
20 seeking fertility treatment, it is determined that the
21 embryos will never be implanted in a woman and
22 would otherwise be discarded.

23 “(3) The individuals seeking fertility treatment
24 donated the embryos with written informed consent
25 and without receiving any financial or other induce-
26 ments to make the donation.



1 “(c) GUIDELINES.—Not later than 60 days after the
2 date of the enactment of this section, the Secretary, in
3 consultation with the Director of NIH, shall promulgate
4 guidelines to carry out this section.

5 “(d) DETERMINATION.—In determining whether this
6 section authorizes or prohibits the conduct or support of
7 research using a particular human embryonic stem cell
8 line, the Secretary—

9 “(1) shall apply the requirements of subsection
10 (b) regardless of the date on which the stem cell line
11 is derived from a human embryo; and

12 “(2) shall apply the guidelines promulgated
13 under this section only if the stem cell line is derived
14 from a human embryo on or after the date described
15 in subsection (c).

16 “(e) REPORTING REQUIREMENTS.—The Secretary
17 shall annually prepare and submit to the appropriate com-
18 mittees of the Congress a report describing the activities
19 carried out under this section during the preceding fiscal
20 year, and including a description of whether and to what
21 extent research under subsection (a) has been conducted
22 in accordance with this section.”.

